

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

EDGAR T. NUMRICH,

Plaintiff,

No. 03:12-cv-01594-HU

v.

UWEMEDIMOH (“Wayne”) NTEKPERE,

ORDER

Defendant.

HERNANDEZ, District Judge:

Magistrate Judge Hubel issued a Findings and Recommendation [#53] on February 14, 2013, in which he recommends that the Court dismiss the plaintiff’s Amended Complaint for failure to state a claim upon which relief can be granted.

Plaintiff timely filed objections to the Findings and Recommendation. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the

Magistrate Judge's report. 28 U.S.C. § 636(b)(1); Dawson v. Marshall, 561 F.3d 930, 932 (9th Cir. 2009); United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

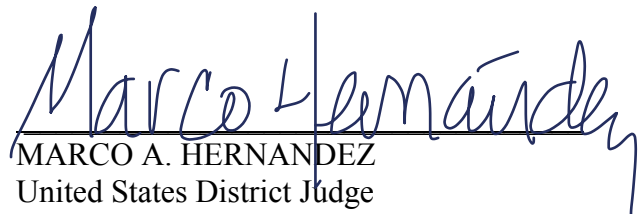
I have carefully considered plaintiff's objections and conclude that the objections do not provide a basis to modify the Findings and Recommendation. I have also reviewed the pertinent portions of the record *de novo* and find no error in the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Court ADOPTS Magistrate Judge Hubel's Findings and Recommendation [#53] and, therefore, defendant's motion to dismiss [#24] is granted. This case is dismissed with prejudice.

IT IS SO ORDERED.

DATED this 12 day of APRIL, 2013.


MARCO A. HERNANDEZ
United States District Judge